

BOOK REVIEWS

Ewell's Elementary Law. By Marshall D. Ewell. Published by Matthew Bender & Company, Albany, N. Y. 1915. pp. 1053.

This is a second edition of a book which appeared in 1883 and which has been very widely used by young men preparing for bar examinations and as a general text-book on Elementary Law in some of the law schools where the case method of study has not been adopted. The book in hand treats the subjects of Agency, Contracts, Corporations, Equity, Evidence, Negotiable Instruments, Partnership, Common Law Pleading, and Torts. It is a great deal more comprehensive than its predecessor and is distinctly better. In the preparation of the book the relative importance of different passages in the text has been displayed by the use of different sizes of type. This is a very useful mechanical device in that it gives the student the benefit of an experienced scholar's opinion as to what is most important and shows him where to concentrate in his study. The style of the author is characterized by clearness and conciseness and his book probably contains as good a statement of that part of the law which it covers as can be found anywhere in the same number of pages. Any book of this kind must of necessity be very general; in fact, so general as to be of little use except as a mere preparation for the bar examination. The reviewer has no doubt that a close study of Professor Ewell's book would enable one to get by the bar examinations in a good many states but he deplors any scheme for the study of law which makes as its prime object the passing of the bar examination rather than the acquiring of that legal habit of mind which a proper method of study, sufficiently prolonged, would assure and which would abide and be useful in practice when the abstract principles and norms have faded from memory.

Equity and Its Remedies. By Charles Neal Barney. Published by G. A. Jackson, Boston. 1915. pp. xxxiii and 252.

The purpose of this book is to put in an accessible form the bare principles of equity and to show the scope of equitable remedies. No attempt has been made to enter upon a discussion of the reasons for the various rules nor to cite all cases in point.

The citations are largely drawn from Massachusetts cases but the subject is dealt with in such a way as to make the book valuable as a source of reference in any part of the United States. For a quick method of "brushing up" on the subject the book should prove of great value but it does not pretend to treat of the matter in the extensive and scholarly manner of Pomeroy. However, it is the author's purpose to produce simply a book of rules for the use of the busy practitioner and in this he has succeeded admirably.

A Sketch of English Legal History. By Frederic W. Maitland and Francis C. Montague. Edited by James F. Colby. Published by G. P. Putnam's Sons, New York and London. 1915. pp. 229.

This book is a reprint of a series of articles which appeared in "Social England." Its purpose is to furnish a brief but comprehensive, accurate but untechnical account of the origin and growth of English law. The book is of value to Americans only as giving an historical account of that system of law from which our system is largely derived, but being written in an untechnical and interesting fashion it should be largely read by students of English law. To all such we heartily commend it.

Ethics in Service. By William Howard Taft, New Haven. Yale University Press. 1915. pp. 101.

This book consists of the addresses delivered in the Page Lecture Series, 1914, by Professor Taft before the senior class of the Sheffield Scientific School, Yale University. The first two chapters are given over to a discussion of the ethics and ideals of the legal profession. There is there set forth a short history of the profession, showing that though lawyers have ever received the condemnation of their fellow citizens, yet the profession has ever been in the lead in the progress of society and has contributed very many illustrious names to the pages of history. This section also contains an outline and discussion of the system of legal ethics as advocated and practiced to-day. The third chapter contains a discussion of the Executive Power which is even more interesting for the inclusion of several incidents in which the author took part. The last two chapters deal with "The Signs of the Times" in which the author discusses such

timely topics as initiative and referendum, the recall, "muckraking," trade-unionism and others. The book is written in the author's most entertaining as well as instructive style and should be in the hands of every student of our government.

Law and Its Administration. By Dean Stone of Columbia University Law School. Columbia University Press. 1915. pp. 232.

Though these lectures were prepared for delivery before a lay audience and hence necessarily cannot contain any elaborate or technical consideration of the subject, yet they should prove of intense interest to the lawyer and student. They contain just that general jurisprudence which every student should be acquainted with in order to understand the fundamental reasons for our system of law and which is all too often neglected in the effort to acquire sufficient knowledge of the bare rules to pass a fast approaching bar examination. The two chapters on Fundamental Legal Conceptions are especially valuable. It is beyond the scope of this review to give in detail the contents of the book. Suffice it to say that it covers in a most interesting fashion those more fundamental notions which underlie our legal system and should be read by every earnest student of the law.

United States Mining Statutes Annotated. By J. W. Thompson. Government Printing Office, Washington. 1915. pp. 1772.

This work is produced under the supervision of the Bureau of Mines. It consists of two volumes, the first of which is taken up by Part I containing the "Sections and Statutes Relating to Metalliferous and Coal Mining," the second by Part II which deals with "Miscellaneous Mining Subjects." It is an accurate and comprehensive work and one which should prove invaluable to one interested in this subject, whether layman or professional.

Pathological Lying, Accusation and Swindling. By William Healy and Mary Tenney Healy. Published by Little, Brown & Co., Boston. 1915. pp. X and 286.

This volume is the first of a series of Monograph Supplements to the Journal of Criminal Law and Criminology. It is a departure from the usual treatise in that it adapts the "case system"

of the law school to the study of pathological lying, accusation and swindling. Chapter I defines the subject, shows its connection with delinquency and gives a general idea of the methods and results of investigation. Chapter II traces the historical development of the study and investigation of the subject. The next three chapters contain a number of specific cases intended to serve as a basis for the study of the various characteristics of offenders. Chapter VI details the conclusions which are arrived at from a study of the cases contained in the preceding three chapters.

The book is useful and valuable to those interested in the study of the problems of delinquency and should be a welcome addition to the literature on this subject.

Voting Trusts. By Harry A. Cushing. Published by The Macmillan Co., New York. 1915. pp. 226.

This work is especially valuable as being the first devoted to the topic. The development of voting trusts is traced from their beginnings up to the modern complex organizations, which are clearly analyzed and collated. The law on the subject is concisely stated, together with a review of opinions by courts and laymen. A selection of important documents is also included.

Schouler on Wills, Executors and Administrators. By James Schouler. Fifth Edition. Published by Matthew Bender & Co., Albany, N. Y. 1915. 2 vols. pp. 1908.

This is a new edition of the standard work which is so well known to the legal fraternity in general that further comment seems almost superfluous. The work is conveniently divided into two volumes, the first of which is entirely given over to the treatment of wills, their nature, essentials, and mode of interpretation; the second to the administration of estates, testate and intestate, and the rights and duties of executors and administrators. The appendix, containing forms of wills and practical suggestions to testators, is of value to the profession as well as to the laity. To all who desire the latest and most authoritative work on this subject we commend this new edition.

International Law Topics and Discussions. Naval War College. Washington. 1915. pp. 169.

The Hague Conventions and Declarations of 1899 and 1907.

Edited by James Brown Scott. Carnegie Endowment for International Peace. Published by the Oxford University Press, New York. 1915. pp. XXX and 303.

Report of the International Commission to Inquire into the Causes and Conduct of the Balkan Wars.

Carnegie Endowment for International Peace. Published by the Endowment, Washington, D. C. 1914. pp. 413.

Year Book of the Carnegie Endowment for International Peace.

Washington, D. C. 1915. pp. XVII and 181.

For Better Relations with Our Latin American Neighbors. By

Robert Bacon. Carnegie Endowment for International Peace, Washington, D. C. 1915. pp. 186.

True Scope and Meaning of the Commerce Clause. By John W.

Walsh. Published by Barnard & Miller, Chicago. 1915. pp.